

SEP. 14. 2005 2:16PM

RECEIVED
CENTRAL FAX CENTER

NO. 7911 P. 6

4

SEP 14 2005

Docket No.: 13173-00002-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Schopfer et al.

Conf. No.: 8428

Application No.: 10/524648

Group Art Unit: Not Yet Assigned

Filed: February 17, 2005

Examiner: Not Yet Assigned

For: TRANSGENIC EXPRESSION CASSETTES
FOR EXPRESSING NUCLEIC ACIDS IN THE
FLOWER OF PLANTS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed August 29, 2005 (enclosed herewith).

Applicants respectfully submit a properly executed Declaration, a new Power of Attorney and Petition and a Fee Transmittal for the surcharge for late filing of the Declaration for entering into the above-identified application.

Applicants are submitting their response herewith within the two-month response period set to expire on October 29, 2005.

09/20/2005 ATRAN1 00000137 10524648
01 FC:1617 130.00 DA

416792

1

BEST AVAILABLE COPY

Application No.: 10/524648

Docket No.: 13173-00002-US
(PATENT)

No further fees are believed due. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13173-00002-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicants

SEP 14 2005

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known Application Number 10/524648 Filing Date February 17, 2005 First Named Inventor Schopfer et al. Examiner Name Not Yet Assigned Art Unit Not Yet Assigned Attorney Docket No. 13173-00002-US	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 130.00			

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims _____ Extra Claims _____ Fee (\$) _____ Fee Paid (\$) _____ Multiple Dependent Claims
 Fee (\$) _____ Fee Paid (\$) _____

Indep. Claims _____ Extra Claims _____ Fee (\$) _____ Fee Paid (\$) _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(v)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ Extra Sheets _____ Number of each additional 50 or fraction thereof _____ Fee (\$) _____ Fee Paid (\$) _____
 - 100 = _____ / 50 _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1051: Late oath or declaration

130.00

SUBMITTED BY			
Signature	<i>Roberte M. Makowski</i>	Registration No. (Attorney/Agent)	55,421
Name (Print/Type)	Roberte M. D. Makowski, Ph.D.	Telephone	(302) 658-9141
Date	September 14, 2005		

09/20/2005-ATRAM1-00000137-10524648

01 FC:1617 130.00 DA

416841

PAGE 5/13 * RCVD AT 9/14/2005 2:14:55 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-6/24 * DNIS:2738300 * CSID:302 661 2331 * DURATION (mm:ss):02:40

BEST AVAILABLE COPY

SEP. 14. 2005 2:15PM

JC03 Rec'd PCT/PTO 1 4 SEP 2005

RECEIVED
CENTRAL FAX CENTER

NO. 7911 P. 1

SEP 14 2005

FAX TRANSMISSION

DATE: September 14, 2005

PTO IDENTIFIER: Application Number 10/524648
Patent Number

Inventor: Schopfer et al.

MESSAGE TO: U.S. Patent and Trademark Office
MS Missing Parts

FAX NUMBER: 571-273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Roberte M. D. Makowski

PHONE: (302) 658-9141

Attorney Dkt. #: 13173-00002-US

PAGES (Including Cover Sheet): 13

CONTENTS: Certificate of Transmission (1 page)
Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated-Elected Office (DO/EO/US) (2 pages)
Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated-Elected Office (DO/EO/US) (2 pages)
Transmittal of Power of Attorney (1 page)
Power of Attorney (1 page)
Statement 3.73(b) (1 page)
Declaration, Power of Attorney and Petition (3 pages)
Fee Transmittal (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (302) 658-9141 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

416835

PAGE 1/13 * RCVD AT 9/14/2005 2:14:55 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-6/24 * DNIS:2738300 * CSID:302 661 2331 * DURATION (mm-ss):02:40

BEST AVAILABLE COPY

PTO/SB/92 (08-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/524648

Attorney Docket No.: 13173-00002-US

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 14, 2005
Date



Signature

Tina R. Hall

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the
United States Designated-Elected Office (DO/EO/US) (2 pages)
Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United
States Designated-Elected Office (DO/EO/US) (2 pages)
Transmittal of Power of Attorney (1 page)
Power of Attorney (1 page)
Statement 3.73(b) (1 page)
Declaration, Power of Attorney and Petition (3 pages)
Fee Transmittal (1 page)